

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHEASTERN DIVISION

United States of America,

Plaintiff,

-vs-

Kyle Christopher White,

Defendant.

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Case No. 2:06-cr-80

**ORDER ADOPTING REPORT AND
RECOMMENDATION MODIFYING
CONDITIONS OF SUPERVISED
RELEASE**

Following a referral from the undersigned judge, Defendant appeared before the Magistrate Judge for a hearing on an alleged violation of supervised release conditions. At the hearing, Defendant admitted to the violation contained in the petition. The petition alleges Defendant assaulted another individual two days after arriving at Heart of America Correctional & Treatment Center. The Court has received a Report and Recommendation from the Honorable Alice R. Senechal, United States Magistrate Judge, pursuant to 28 U.S.C. § 636, recommending Defendant's conditions of supervised release be modified (Doc. #99). Both parties have filed a written response stating they have no objections to the Report and Recommendation (Docs. #100 & 101).

The Court has reviewed the Report and Recommendation, along with the entire file, and finds the Magistrate Judge's recommendations are appropriate. Accordingly, the Court hereby adopts the Report and Recommendation in its entirety. For the reasons set forth therein, Defendant's supervised release is extended through **December 15, 2011**, and his conditions are modified as follows:

- (1) Defendant shall reside at Southwest Multi-County Correctional Center for a

minimum period of **three months**. During this time, Defendant shall participate in a substance abuse treatment program, as directed by his supervising probation officer.

- (2) After three months, Defendant shall continue to reside at Southwest Multi-County Correctional Center as a residential re-entry placement for **six months** for the purpose of developing of a suitable release plan;
- (3) Defendant shall participate in psychological and psychiatric assessment and counseling as directed;
- (4) Defendant shall take all medications prescribed by a physician or psychiatrist;
- (5) Defendant shall notify his supervising probation officer of all medical appointments and prescriptions, with verification of appointments and prescriptions by the supervising officer; and
- (6) Defendant shall arrange for his children's well-being by an appropriate social services agency in the event he has custody of his children while in the community.

IT IS SO ORDERED.

Dated this 18th day of September, 2009.

/s/ Ralph R. Erickson
Ralph R. Erickson, District Judge
United States District Court